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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/423,284 | 02/22/2000 | SCOTT BLAIR | 0859-96 | 6562 |

7590

11/19/2002

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EXAMINER

WONG, ALLEN C

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/423,284

Applicant(s)

BLAIR, SCOTT

Examiner

Allen Wong

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 6, 7, 9 and 14-16 are objected to because of the following informalities: applicant states "any preceding claim" for claims 6, 7 and 9, for which claims 6, 7 and 9 must have a preceding claim number specified. Claims 14-16 are objected to under 37 CFR 1.75(c) as being in improper form because multiple dependent claims are formed, as specified in MPEP § 608.01(n). Please specify the claim number that dependent claims 6, 7, 9 and 14-16 specifically depend from. Appropriate correction is required.
2. Claim 13 is objected to because the term "substantially" is not definitive as it can describe varying degrees of "flush".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Gerke (5,009,384).

Gerke discloses a video system for displaying televised material to passengers in a mass transit subway system (col.1, lines 6-12; note a subway car is a part of a train, Gerke's discloses the train and "other forms of public transit", thus the "other forms of public transit" meets the limitation of the mass transit subway system; col.2, lines 27-30 discloses displaying televised material to passengers "on a bus or the like", thus

meeting the limitation of the mass transit subway system), and comprising at least one video display monitor adapted for mounting inside a subway car so as to display televised material to passengers riding therein (col.1, lines 6-12, and fig.1, element 2), and a video signal source unit operatively connected to said at least one monitor (col.1, lines 53-56; note cable means carries the video signal source; see fig.1 and 2 and note element 40 is a secured mount to mount the monitor 2).

Note claim 10 has similar corresponding elements.

Claim Rejections - 35 USC § 103

5. Claims 2-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerke (5,009,384) in view of Steventon (4,647,980).

Regarding claims 2, 9, 11 and 15, Gerke does not disclose the multiple video display monitors. However, Steventon teaches plural displays (fig.2, element 26 is an LCD screen and that each seat has an individual module element 16 that has an LCD screen 26). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Regarding claims 3-5, 7 and 14, Gerke does not disclose the display of prerecorded material that is played back on video tape player. However, Steventon discloses the display of prerecorded material that is played back on video tape player (col.5, lines 60-66). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to

satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Regarding claims 6 and 12, Gerke discloses the monitor is mounted (see fig.1 and 2).

Regarding claim 8, Gerke does not disclose a broadcast television receiver. However, Steventon discloses a broadcast television receiver (fig.9, element 58 is a television broadcast tuner). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Regarding claim 16, Gerke discloses a cabling system (col.1, lines 53-56; note cable means). Gerke does not disclose multiple monitors. However, Steventon teaches plural displays (fig.2, element 26 is an LCD screen and that each seat has an individual module element 16 that has an LCD screen 26). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Gerke and Stevenson for using multiple displays to satisfy and entertain passengers during long subway train rides. Both Gerke and Steventon pertain to video systems in vehicular transport modes.

Allowable Subject Matter

6. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art references disclose this specific feature pertaining to the monitor screen being flush with the adjacent wall surface structure of the car.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Allen Wong
Examiner
Art Unit 2613

AW
November 5, 2002


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
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